

12-11-2002

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #73

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

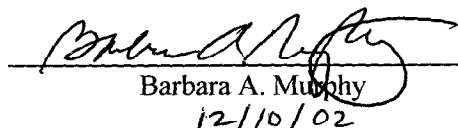
RaceTrac Petroleum, Opposer

v.

ETW Corporation, Applicant

Opposition No. 117,623

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to Box TTAB No Fee, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date shown below.


Barbara A. Murphy

12/10/02
December 10, 2002

APPLICANT'S MOTION TO EXTEND THE TESTIMONY PERIOD

Applicant ETW Corporation hereby moves to extend the testimony period for Applicant and the rebuttal testimony period of Opposer RaceTrac Petroleum, Inc. Pursuant to prior requests to extend the schedule, Applicant's testimony period is scheduled to close on December 10, 2002. Applicant requests that this period be extended by one month until January 10, 2003. Applicant submits that good cause exists for this extension because of ongoing and unanticipated scheduling conflicts that have arisen in other matters that have prevented counsel for Applicant from completing the necessary testimony during the assigned period. Applicant submits that this extension would not unnecessarily delay the proceedings in this matter.

Opposition No. 117,623
Mark: RACEWAY & Design
Serial No. 75/321,745

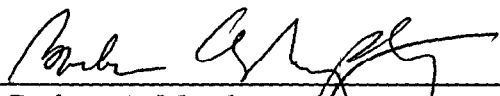
Resetting of the dates is respectfully requested. If granted, this would reschedule times as follows:

	<u>Present Date:</u>	<u>New Date:</u>
30-day Testimony period for party in position of defendant to close (opening thirty (30) days prior thereto)	December 10, 2002	January 10, 2003
15-day Rebuttal Testimony period to close (opening fifteen (15) days prior thereto)	January 24, 2003	February 28, 2003

Counsel for Applicant has attempted to seek the consent of Opposer's counsel, but was unsuccessful in reaching Opposer's counsel. Counsel for Applicant will continue to seek the consent of Opposer's counsel and will inform the Board of Opposer's position. A copy of this Request is being sent concurrently to counsel for Opposer. For the foregoing reasons, Applicant respectfully requests that the proposed rescheduling be granted.

Respectfully submitted,

Adduci, Mastriani & Schaumberg, L.L.P.

By: 
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Dated: December 10, 2002

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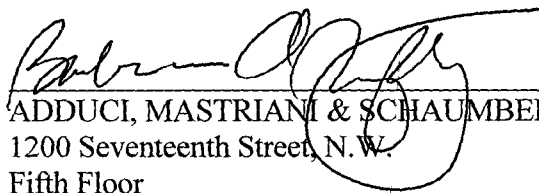
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing APPLICANT'S MOTION TO EXTEND THE TESTIMONY PERIOD was served as indicated below, December 10, 2002, on the party listed below:

Racetrac Petroleum, Inc.

Joan L. Dillon, Esq.
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(X) U.S. Mail Postage Prepaid
() Hand Delivered
() Federal Express
(X) Facsimile



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